

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 182

PSYCHOLOGY

333.18201 Definitions; principles of construction.

Sec. 18201. (1) As used in this part:

(a) "Psychologist" means an individual licensed under this article to engage in the practice of psychology.

(b) "Practice of psychology" means the rendering to individuals, groups, organizations, or the public of services involving the application of principles, methods, and procedures of understanding, predicting, and influencing behavior for the purposes of the diagnosis, assessment related to diagnosis, prevention, amelioration, or treatment of mental or emotional disorders, disabilities or behavioral adjustment problems by means of psychotherapy, counseling, behavior modification, hypnosis, biofeedback techniques, psychological tests, or other verbal or behavioral means. The practice of psychology shall not include the practice of medicine such as prescribing drugs, performing surgery, or administering electro-convulsive therapy.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Compiler's note: For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

Popular name: Act 368

333.18211 Practice of psychology; license or authorization required; use of words, titles, or letters.

Sec. 18211. (1) A person shall not engage in the practice of psychology unless licensed or otherwise authorized by this article.

(2) The following words, titles, or letters or a combination thereof, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "consulting psychologist", "psychologist", "psychological assistant", "psychological examiner", "licensed psychologist", and "limited licensed psychologist".

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2006, Act 395, Imd. Eff. Sept. 27, 2006.

Popular name: Act 368

333.18212 Postdoctoral training which includes practice of psychology; full or limited license required; requirements of limited license; responsibility for training; limited license renewable; waiver of limited license by Michigan board of psychology.

Sec. 18212. (1) Except as otherwise provided in subsection (3), an individual shall not engage in postdoctoral training which includes the practice of psychology without obtaining a full or limited license to practice under this part.

(2) A limited license for an individual in postdoctoral training shall require that the individual be under supervision of a licensed psychologist and confine his or her practice and training to a hospital, clinic, institution, or other arrangement approved by the board for the training. The hospital, clinic, or institution and designated licensed psychologist are responsible for the training. A limited license for a postdoctoral training is renewable for not more than 5 years.

(3) The Michigan board of psychology shall waive the requirement of having a limited license in order to engage in the postdoctoral experience necessary to obtain a full license if all of the following occur:

(a) The individual has met all the other requirements of subsection (2).

(b) The individual submits a request for the waiver in writing and pays a sum equal to the cost of a limited license.

(c) The individual has applied for a license between July 1, 1985 and July 1, 1986.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1987, Act 20, Imd. Eff. Apr. 24, 1987.

Popular name: Act 368

333.18214 Permissible conduct.

Sec. 18214. (1) This part does not prohibit an individual who holds a doctoral degree in psychology from a regionally accredited college or university from using a title including "psychologist" if the individual does

not engage in the practice of psychology.

(2) This part does not prohibit an individual approved by the state department of education from using the title “school psychologist” and engaging in those duties and activities pertinent to employment by a public or private elementary or secondary school.

(3) This part does not prohibit an individual employed by a regionally accredited college or university and involved in research or the teaching of psychology from performing those duties for which he or she is employed by that institution.

(4) This part does not prohibit a certified, licensed, registered, or otherwise statutorily recognized member of any profession including a lawyer, social worker, school counselor or marriage counselor from practicing his or her profession as authorized by law.

(5) This part does not prohibit a clergyman, professional educator, or professional counselor, including an alcoholism or drug abuse counselor, whose practice may include preventive techniques, counseling techniques, or behavior modification techniques from practicing his or her profession consistent with his or her training and with a code of ethics for that respective profession.

(6) This part shall not apply to a participant or employee in a program licensed under part 62 or self-help, peer counseling, or support services provided by a nonprofit organization.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.18221 Michigan board of psychology; creation; membership; terms.

Sec. 18221. (1) The Michigan board of psychology is created in the department and shall consist of the following 9 voting members who shall meet the requirements of part 161: 5 psychologists, including at least 1 nondoctoral psychologist, and 4 public members. Section 1212 does not apply to this board.

(2) The terms of office of individual members of the board created under this section, except those appointed to fill vacancies, expire 4 years after appointment on December 31 of the year in which the term expires.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 395, Imd. Eff. Sept. 27, 2006.

Popular name: Act 368

333.18223 Rules as to licensing requirements; limited license; renewal; supervised postgraduate experience requirement; temporary license.

Sec. 18223. (1) The department, in consultation with the board, shall promulgate rules requiring that to be granted a license under this part, except as provided in subsection (2), an individual must meet both of the following requirements:

(a) Have been granted a doctoral degree in psychology, or a doctoral degree in a closely related field, from a doctoral degree program that meets both of the following requirements:

(i) Is offered by a regionally accredited or other college, university, or institution approved by the board, which program included education and training appropriate to the practice of psychology.

(ii) Has obtained the association of state and provincial psychological boards' national register designation, has been accredited by the American psychological association or the Canadian psychological association, or has obtained a similar designation from or been accredited by an entity approved by the board. For purposes of the requirement added by 2010 PA 121, a program that is in the process of obtaining the designation or becoming accredited as required in this sub-subparagraph before August 1, 2011, and that obtains the designation or becomes accredited on or before August 31, 2020, meets the requirements of this sub-subparagraph.

(b) Have not less than 1 year of postdoctoral experience in the practice of psychology in an organized health care setting or other arrangement, as established by the board.

(2) In addition to section 16182, the board shall grant a limited license to an individual granted a master's degree in psychology from a regionally accredited college, or university, or institution approved by the board, if the individual has education, training, and experience appropriate to the practice of psychology, as established by the board. Except for duties performed as an employee of a governmental entity or of a nonprofit organization serving benevolent and charitable purposes, the board shall place 2 limitations on a license granted to an individual under this subsection. The limitations must require supervision by a psychologist who has a license other than a limited license and must prohibit advertising or other representation to the public that will lead the public to believe the individual is engaging in the practice of psychology. A limited license granted under this subsection is renewable pursuant to part 161. An individual applying for a limited license pursuant to this subsection must have 1 year of supervised postgraduate experience in an organized health care setting or other arrangement, as established by the board. The

individual must be supervised by a psychologist who has a license other than a limited license, or if a psychologist who has a license other than a limited license is not available, by a psychologist who has at least a master's degree in psychology and at least 3 years of experience in the practice of psychology or by any other individual approved by the board. The board shall issue a temporary license to the individual for the purpose of obtaining the 1 year of postgraduate experience.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1980, Act 265, Imd. Eff. Sept. 29, 1980;—Am. 1982, Act 468, Imd. Eff. Dec. 30, 1982;—Am. 1986, Act 174, Imd. Eff. July 7, 1986;—Am. 2010, Act 121, Imd. Eff. July 13, 2010;—Am. 2014, Act 385, Imd. Eff. Dec. 18, 2014.

Compiler's note: Section 3 of Act 174 of 1986 provides: "This amendatory act shall only apply to contested cases filed on or after July 1, 1986."

Popular name: Act 368

333.18233 Renewal of license; evidence required; completion of hours or courses in pain and symptom management as continuing education; rules.

Sec. 18233. (1) In addition to the requirements of part 161, the board may require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years immediately preceding application for renewal the licensee has attended continuing education courses or programs approved by the board totaling not less than a number of hours established by rule of the board in subjects related to the practice of psychology and designed to further educate licensees.

(2) As required under section 16204, the board shall promulgate rules requiring each applicant for license renewal to complete as part of the continuing education requirement of subsection (1) an appropriate number of hours or courses in pain and symptom management.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1986, Act 290, Imd. Eff. Dec. 22, 1986;—Am. 1994, Act 234, Imd. Eff. June 30, 1994.

Popular name: Act 368

333.18237 Confidential information; disclosure; waiver.

Sec. 18237. A psychologist licensed or allowed to use that title under this part or an individual under his or her supervision cannot be compelled to disclose confidential information acquired from an individual consulting the psychologist in his or her professional capacity if the information is necessary to enable the psychologist to render services. Information may be disclosed with the consent of the individual consulting the psychologist, or if the individual consulting the psychologist is a minor, with the consent of the minor's guardian, pursuant to section 16222 if the psychologist reasonably believes it is necessary to disclose the information to comply with section 16222, or under section 16281. In a contest on the admission of a deceased individual's will to probate, an heir at law of the decedent, whether a proponent or contestant of the will, and the personal representative of the decedent may waive the privilege created by this section.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 1998, Act 496, Eff. Mar. 1, 1999.

Popular name: Act 368